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MINISTRY OF LAW
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The following President's Acts are published for general information:—

THE ORISSA MERGED TERRITORIES' PETITION
WRITERS' CONTINUANCE OF LICENCES
(AMENDMENT) ACT 1961

No. 1 OF 1961

Enacted by the President in the Twelfth Year of the Republic
of India.

An Act further to amend the Orissa Merged Territories' Petition
Writers' Continuance of Licences Act, 1956.

In exercise of the powers conferred by section 3 of the Orissa
13 of 1961. State Legislature (Delegation of Powers) Act, 1961, the President
is pleased to enact as follows:—

1. This Act may be called the Orissa Merged Territories' Petition Short title.
Writers' Continuance of Licences (Amendment) Act, 1961.

2. In the long title of the Orissa Merged Territories' Petition Amendment
Writers' Continuance of Licences Act, 1956 (hereinafter referred to of long title,
as the principal Act), the words "for a limited period" shall be Orissa Act
19 of 1956.
omitted.

3. In the preamble to the principal Act, the words "during a Amendment
limited period" shall be omitted. of preamble.

Amendment
of section 3.

4. In section 3 of the principal Act, for the words "for a period of five years from the commencement of this Act", the words "for his life-time" shall be substituted.

RAJENDRA PRASAD,

President.

R. C. S. SARKAR,

Secy. to the Govt. of India.

Reasons for the enactment

The Orissa Merged Territories Petition-writers (Continuance of Licence) Act, 1951 was enacted for a period of five years to enable the then existing petition-writers in the merged territories of Orissa to continue their profession. The Orissa Act 19 of 1956 on the same subject was enacted to continue the grant of such licences for a further period of five years. In view of the fact that the existing petition-writers in merged territories would be thrown out of occupation at an advanced age and that their number itself is not large, it is considered expedient to extend the operation of the Act so as to allow the existing petition-writers in such merged territories to continue in their occupations for their life-time. Since the present Act is due to expire on the 30th June, 1961, it is considered necessary to enact this Amendment as a President's Act.

2. The Committee constituted under proviso to sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1961 (13 of 1961), has approved the enactment of this measure.

HARI SHARMA,

Additional Secretary to the Govt. of India,

Ministry of Home Affairs.

THE ORISSA SALES TAX LAWS (AMENDMENT) ACT,
1961

No. 2 of 1961

Enacted by the President in the Twelfth Year of the Republic
of India.

An Act to amend the Orissa Sales Tax (Amendment) Act, 1957.

In exercise of the powers conferred by section 3 of the Orissa State
3 of 1961. Legislature (Delegation of Powers) Act, 1961, the President is pleased
to enact as follows:—

1. This Act may be called the Orissa Sales Tax Laws (Amendment) Short title,
Act, 1961.

2. In section 11 of the Orissa Sales Tax (Amendment) Act, 1957, in sub-section (1), in clause (i), the following proviso shall be inserted and shall be deemed always to have been inserted, at the end, namely:—

Amendment
of section 11,
Orissa Act 20
of 1957.

“Provided that such of the aforesaid matters as are remanded
by the Board of Revenue shall be heard and dealt with by the
Tribunal as if they were appeals under sub-section (3) of section
23 of the said Act as amended by this Act.’

RAJENDRA PRASAD,
President.

R. C. S. SARKAR,
Secy. to the Govt. of India.

Reasons for the enactment

According to the transitory provisions made in section 11(1)(i) of the Orissa Sales Tax (Amendment) Act, 1957 (Orissa Act 20 of 1957), all matters pending in revision or appeals before the Board of Revenue on the date of commencement of the Act, had to be disposed of by the Board of Revenue notwithstanding the constitution of the Sales Tax Tribunal. But there is no provision in respect of disposal of revisions remanded by the Board of Revenue and hence it is proposed that such revisions shall be heard and dealt with by the Sales Tax Tribunal as if they were appeals filed before such Tribunal.

2. The Committee constituted under proviso to sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1961 (13 of 1961), approved the enactment of this measure as a President's Act.

HARI SHARMA,
*Additional Secretary to the Government of India,
Ministry of Home Affairs.*

THE BIHAR AND ORISSA STATE AID TO INDUSTRIES
(ORISSA AMENDMENT) ACT, 1961
No. 3 OF 1961

Enacted by the President in the Twelfth Year of the Republic
of India.

An Act further to amend the Bihar and Orissa State Aid to
Industries Act, 1923, in its application to the State of Orissa.

In exercise of the powers conferred by section 3 of the Orissa State
Legislature (Delegation of Powers) Act, 1961, the President is pleased 13 of 1961.
to enact as follows:—

Short title. 1. This Act may be called the Bihar and Orissa State Aid to Indus-
tries (Orissa Amendment) Act, 1961.

Amendment
of section 33
B. and O.
Act 6 of
1923. 2. In section 33 of the Bihar and Orissa State Aid to Industries
Act, 1923, for the words "Provided that nothing in this Act shall apply
to the power of the State Government to—", the following words,
figures and brackets shall be substituted, namely:—

"Provided that nothing in this Act shall apply—

(1) to any State aid given in the form of the grant of a
loan to any industrial concern as defined in the State Finan-
cial Corporations Act, 1951, through the agency of the 63 of 1951.
State Financial Corporation in pursuance of clause (ee) of
sub-section (1) of section 25 of that Act, or

(2) to the power of the State Government to—".

RAJENDRA PRASAD,
President.

R. C. S. SARKAR,
Secy. to the Govt. of India.

Reasons for the enactment

The State Financial Corporations Act, 1951, was amended by Parliament in 1956 to provide that a State Financial Corporation may act as an agent for the Central or State Government or the Industrial Financial Corporation of India in the transaction of any business with an industrial concern in respect of loans or advances granted by any one of them. A corresponding amendment to the Bihar and Orissa State Aid to Industries Act, 1923, is necessary to enable the State Financial Corporation to act as the agent of the State Government of Orissa in respect of any aid given in the form of a loan to any industrial concern. The present measure is intended to make appropriate provision therefor, amending section 33 of the Bihar and Orissa State Aid to Industries Act, 1923.

2. The Committee constituted under sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1961 (13 of 1961), has approved the enactment of this measure as a President's Act.

HARI SHARMA,

*Additional Secy. to the Govt. of India,
Ministry of Home Affairs.*

THE ORISSA HOUSE RENT CONTROL (AMENDMENT)
ACT, 1961

No. 4 OF 1961

Enacted by the President in the Twelfth Year of the Republic
of India.

An Act to amend the Orissa House Rent Control Act, 1958.

In exercise of the powers conferred by section 3 of the Orissa State
13 of 1961. Legislature (Delegation of Powers) Act, 1961, the President is pleased
to enact as follows:—

1. This Act may be called the Orissa House Rent Control Short title,
(Amendment) Act, 1961.

2. In section 2 of the Orissa House Rent Control Act, 1958 (herein- Amendment
after referred to as the principal Act), in clause (3), for the words of section 2,
"residential purpose or otherwise", the words "any purpose whatsoever" shall be substituted. Orissa Act
31 of 1958.

Insertion of
new section
13A.

Stay of execution of decree or order for eviction in certain cases.

3. After section 13 of the principal Act, the following section shall be inserted, namely:—

“13A. (1) Notwithstanding anything in any law or in any of the other provisions of this Act, where a person who continues in possession of a house in spite of a decree or order for eviction therefrom made against him before the commencement of this Act and would but for such decree or order be a tenant within the meaning of this Act, has preferred an appeal against, or made an application for review or revision of, the decree or order to a court of competent jurisdiction, such court may for sufficient cause order stay of execution of the decree or order pending the disposal of the appeal or, as the case may be, the application for review or revision.

(2) The court may, while ordering stay of execution under sub-section (1), impose such terms and conditions in respect of the quantum and manner of payment of rent of the house or in respect of the manner of possession thereof as the court may deem fit; and on the breach of any such terms and conditions by the person aforesaid, the court may after giving such person a reasonable opportunity of being heard, vacate the order of stay of execution of the decree or order.”.

Saving of action taken under Orissa Ordinance 2 of 1961.

4. Notwithstanding the cesser of operation of the Orissa House Rent Control (Amendment) Ordinance, 1961, anything done or any action taken under the principal Act as amended by that Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act as if this Act had come into force on the 11th day of February, 1961.

RAJENDRA PRASAD,
President.

R. C. S. SARKAR,
Secy. to the Govt. of India.

Reasons for the enactment

The Orissa House Rent Control (Amendment) Ordinance, 1961 (Orissa Ordinance No. 2 of 1961), amended the definition of “house” in section 2(3) of the Orissa House Rent Control Act, 1958 (Orissa Act 31 of 1958), in order to clarify the scope thereof beyond doubt, and also provided for stay of execution of a decree for eviction during the pendency of an appeal, review or revision preferred against such a decree. The present measure replaces the provisions of the said

Ordinance with the modification that the grant of stay of execution of such a decree shall be at the discretion of the competent court.

2. The Committee constituted under the proviso to sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1961 (13 of 1961) approved the enactment of this measure as a President's Act.

HARI SHARMA,
Additional Secretary to the Govt. of India,
Ministry of Home Affairs.

THE ORISSA TAXATION (ON GOODS CARRIED BY
ROADS OR INLAND WATER-WAYS) AMENDMENT ACT,
1961

No. 5 of 1961

Enacted by the President in the Twelfth Year of the Republic
of India.

An Act further to amend the Orissa Taxation (On Goods
Carried by Roads or Inland Water-ways) Act, 1959.

In exercise of the powers conferred by section 3 of the Orissa State
13 of 1961. Legislature (Delegation of Powers) Act, 1961, the President is pleased
to enact as follows:—

1. (1) This Act may be called the Orissa Taxation (On Goods Carried by Roads or Inland Water-ways) Amendment Act, 1961. Short title
and com-
mencement.

(2) Clause (a) of section 3, section 7, section 8, section 9, section 10 and section 11 of this Act shall be deemed to have come into force on the 30th April, 1960, and the rest of this Act shall come into force at once.

2. In section 1 of the Orissa Taxation (On Goods Carried by Roads or Inland Water-ways) Act, 1959 (hereinafter referred to as the principal Act), after sub-section (3), the following sub-section shall be inserted, namely:— Amendment
of section 1,
Orissa Act, 7
of 1959.

“(4) This Act shall cease to have effect immediately on the expiry of the 31st day of March, 1962, except as respects things done or omitted to be done before such cesser, and section 5 of the Orissa General Clauses Act, 1937, shall apply upon such cesser as if it had then been repealed by an Orissa Act.”

Amendment
of section 2.

3. In section 2 of the principal Act—

(a) after clause (2), the following clause shall be inserted, namely:—

‘(2A) “central godown” in respect of kendu leaves means the godown where such leaves are finally packed and made ready for despatch;’;

(b) in clause (4), the words “or minerals and mineral ores” shall be omitted;

(c) in clause (5), for the words “kendu leaves, mineral and mineral ores”, the words “and kendu leaves” shall be substituted;

(d) clause (9) shall be omitted.

Amendment
of section 3.

4. In section 3 of the principal Act, the words “or all or any of the minerals and mineral ores” shall be omitted.

Amendment
of section 4.

5. In section 4 of the principal Act, for the words and figures “Schedules I and II”, the word and figure “Schedule I” shall be substituted.

Amendment
of section 6.

6. In section 6 of the principal Act, the words “or minerals and mineral ores” shall be omitted.

Amendment
of section 8.

7. In section 8 of the principal Act, in sub-section (1), the following proviso shall be inserted at the end, namely:—

“Provided that in respect of kendu leaves the dealer shall have the option of furnishing a return only in respect of his central godowns declared by him and recognised as such by the taxing authorities in accordance with the rules made in that behalf.”

Amendment
of section 13.

8. In section 13 of the principal Act, in sub-section (2), the following proviso shall be inserted at the end, namely:—

“Provided that in respect of kendu leaves the said amount may be so deposited in three equal monthly instalments, the receipt for the deposit of the first instalment being filed along with the return.”

Amendment
of section 17.

9. In section 17 of the principal Act, in sub-section (1)—

(a) in clause (d), after the words “for registration”, the words “or any declaration required to be made by or under this Act” shall be inserted;

(b) after clause (g), the following clause shall be inserted, namely:—

“(h) violates the terms and conditions of an undertaking required to be given by or under this Act;”.

10. In section 23 of the principal Act, in sub-section (2), after clause (g), the following clause shall be inserted, namely:— Amendment of section 23.

“(gg) the declarations and undertakings in respect of places of business, godowns or central godowns, if any, of the dealer in respect of which returns are to be furnished;”.

11. In Schedule I to the principal Act, in item 3—

Amendment of Schedule I.

(a) for the words “Rupees eight”, the words “Rupees nine” shall be substituted;

(b) the proviso and the *Explanation* shall be omitted.

12. Schedule II to the principal Act shall be omitted.

Omission of Schedule II.

13. Notwithstanding the cesser of operation of the Orissa Taxation (On Goods Carried by Roads or Inland Waterways) (Second Amendment) Ordinance, 1960, anything done or any action taken under the principal Act as amended by that Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act. Saving of action taken under Orissa Ordinance 2 of 1960.

RAJENDRA PRASAD,

President.

R. C. S. SARKAR,

Secy. to the Govt. of India.

Reasons for the enactment

The Orissa Taxation (On Goods Carried by Roads or Inland Waterways) Act, 1959 (Orissa Act 7 of 1959) as amended by the Orissa Act 10 of 1960, brought Kendu (*bidi*) leaves under the purview of the taxing provisions of the Act. The rate of the tax on Kendu leaves varied according to their quality. It was found that such classification gave rise to practical difficulties and that the procedure for payment of the tax was also complicated. Hence, the Orissa

Taxation (On Goods Carried by Roads or Inland Waterways) (Second Amendment) Ordinance, 1960 (Orissa Ordinance 2 of 1960) was promulgated to provide (a) for the imposition of a flat rate of tax at the rate of Rs. 9 per maund of such leaves and (b) for effecting necessary changes in the procedure for payment of such taxes.

2. The present measure replaces the provisions of the said Ordinance and also amends Orissa Act 7 of 1959 so as to (1) delete the provisions for tax on minerals and mineral ores occurring therein with immediate effect and (2) limit the duration of the Act up to the end of 31st day of March, 1962.

3. The Committee constituted under proviso to sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1961 (13 of 1961) has approved the enactment of this measure as a President's Act.

HARI SHARMA,

Additional Secretary to the Government of India.

Ministry of Home Affairs.